

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
NORTHERN DIVISION**

**UNITED STATES SECURITIES
AND EXCHANGE COMMISSION**

Plaintiff,

v.

WILLIAM F. MAHON, ET. AL.

Defendants.

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: CIVIL ACTION
: FILE NO. S 00 CV 2918
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: Judge William D. Quarles
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**MOTION TO EXTEND DISPOSITIVE MOTIONS DEADLINE REGARDING RELIEF
DEFENDANTS SEAN AND DEREK JUPITER**

Plaintiff, United States Securities and Exchange Commission (SEC), through its counsel and pursuant to Fed. R. Civ. P. 7(b), respectfully moves this Court to extend the dispositive motions deadline regarding Relief Defendants Sean and Derek Jupiter (Relief Defendants). In support of this Motion, the SEC states the following:

1. On January 14, 2005, this Court issued a paperless Order setting a May 13, 2005 deadline for the filing of dispositive motions. Just a month earlier, on December 20, 2004, Relief Defendants filed an Answer, Paragraph 1 of which says that they “are in the United States Military and are expected to be deployed to the country of Iraq in the very near future.”

2. Also on January 14, 2005, the Court issued a marginal order for admission *pro hac vice* for Relief Defendants’ counsel, M. Daniel Hughes (who also represents the other four relief defendants in this case). Since that time, Mr. Hughes and undersigned counsel have been discussing the possibility of settlement with some, if not all, of the relief defendants. During these discussions, Mr. Hughes informed undersigned counsel that contacting the Relief

Defendants could be difficult.

3. As of the filing of this Motion, Mr. Hughes is uncertain of his clients' current duty stations. Thus, Mr. Hughes has been unable to respond to undersigned counsel's inquiry whether he will be seeking a stay on behalf of the Relief Defendants pursuant to The Servicemembers Civil Relief Act, 50 U.S.C. § 522 (2005).

4. Additional time is needed to establish the Relief Defendants' current duty stations, and, if necessary, for their counsel to request a stay on that basis. The SEC proposes a three week extension. The SEC attempted to obtain Mr. Hughes' consent to this Motion, however, as of the filing of this Motion, Mr. Hughes had not responded.

WHEREFORE, for the foregoing reasons, the SEC requests that the Court grant its Motion.

Respectfully submitted,
For Plaintiff Securities and Exchange Commission

_____/s/_____
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CERTIFICATE OF SERVICE

I, Carolann Gemski, hereby certify that on May 13, 2005, a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent electronically to Allan M. Lerner, counsel for Defendant Dean J. Jupiter, and M. Daniel Hughes, counsel for the Relief Defendants, by operation of the Court's electronic filing system. Parties and interested persons may access this filing through the Court's system.